

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DAVID N. TERHUNE,)	
)	
Plaintiff,)	
)	
v.)	C.A. No.: 06-360-MPT
)	
APPLIED EXTRUSION TECHNOLOGIES,)	
INC., JACKSON CRAIG and TERRY)	
SMITH)	

**STIPULATION REGARDING RESPONSE TO AMENDED COMPLAINT AND
WITHDRAWAL OF PREVIOUSLY FILED MOTION TO DISMISS**

IT IS HEREBY STIPULATED AND AGREED by and between plaintiff, David N. Terhune, and defendants, Applied Extrusion Technologies, Inc., Jackson Craig and Terry Smith, subject to the approval of the Court and pursuant to the Order of Magistrate Judge Mary Pat Thyng during the telephone status conference of January 30, 2007, that defendants may, and hereby do, withdraw their previously-filed Motion to Dismiss (D.I. 11) and associated briefing and shall have until March 23, 2007 to respond to plaintiff's Amended Complaint (D.I. 49).

SEITZ, VANOGTROP & GREEN, P.A.

POTTER ANDERSON & CORROON LLP

By: /s/ James S. Green
James S. Green (#481)
222 Delaware Avenue, Suite 1500
P.O. Box 68
Wilmington, Delaware 19899
(302) 888-0600
jgreen@svglaw.com

Attorneys for Plaintiff

By: /s/ David E. Moore
Wendy K. Voss (#3142)
David E. Moore (#3983)
Hercules Plaza, Sixth Floor
1313 North Market Street
P. O. Box 951
Wilmington, Delaware 19899-0951
(302) 984-6000
wvoss@potteranderson.com
dmoore@potteranderson.com

Attorneys for Defendants

SO ORDERED this _____ day of _____, 2007.

UNITED STATES DISTRICT JUDGE